



U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535

November 14, 2023

NOAH SCHEER



FOIPA Request No.: 1562954-000
Subject: WIRIN, ABRAHAM LINCOLN

Dear Noah Scheer:

The FBI has completed its review of records subject to the Freedom of Information/Privacy Acts (FOIPA) that are responsive to your request. The enclosed documents were reviewed under the FOIPA, Title 5, United States Code, Section 552/552a. Below you will find check boxes under the appropriate statute headings which indicate the types of exemptions asserted to protect information which is exempt from disclosure. The appropriate exemptions are noted on the enclosed pages next to redacted information. In addition, a deleted page information sheet was inserted to indicate where pages were withheld entirely and identify which exemptions were applied. The checked exemptions used to withhold information are further explained in the enclosed Explanation of Exemptions:

Section 552

☐ (b)(1)

☐ (b)(2)

☐ (b)(3)

☐ (b)(4)

☐ (b)(5)

☒ (b)(6)

☐ (b)(7)(A)

☐ (b)(7)(B)

☒ (b)(7)(C)

☐ (b)(7)(D)

☐ (b)(7)(E)

☐ (b)(7)(F)

☐ (b)(8)

☐ (b)(9)

Section 552a

☐ (d)(5)

☐ (j)(2)

☐ (k)(1)

☐ (k)(2)

☐ (k)(3)

☐ (k)(4)

☐ (k)(5)

☐ (k)(6)

☐ (k)(7)

14 preprocessed pages are enclosed. To expedite requests, preprocessed packages are released the same way they were originally processed. Documents or information originating with other Government agencies that were originally referred to that agency were not referred as part of this release. This material is being provided to you at no charge.

Please refer to the enclosed FBI FOIPA Addendum for additional standard responses applicable to your request. **"Part 1"** of the Addendum includes standard responses that apply to all requests. **"Part 2"** includes additional standard responses that apply to all requests for records about yourself or any third party individuals. **"Part 3"** includes general information about FBI records that you may find useful. Also enclosed is our Explanation of Exemptions.

Additional information about the FOIPA can be found at www.fbi.gov/foia. Should you have questions regarding your request, please feel free to contact foipaquestions@fbi.gov. Please reference the FOIPA Request number listed above in all correspondence concerning your request.

If you are not satisfied with the Federal Bureau of Investigation's determination in response to this request, you may administratively appeal by writing to the Director, Office of Information Policy (OIP), United States Department of Justice, 441 G Street, NW, 6th Floor, Washington, D.C. 20530, or you may submit an appeal through OIP's FOIA STAR portal by creating an account following the instructions on OIP's website: <https://www.justice.gov/oip/submit-and-track-request-or-appeal>. Your appeal must be postmarked or electronically transmitted within ninety (90) days of the date of this response to your request. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal." Please cite the FOIPA Request Number assigned to your request so it may be easily identified.

You may seek dispute resolution services by emailing the FBI's FOIA Public Liaison at foipaquestions@fbi.gov. The subject heading should clearly state "Dispute Resolution Services." Please also cite the FOIPA Request Number assigned to your request so it may be easily identified. You may also contact the Office of Government Information Services (OGIS). The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

Sincerely,

A handwritten signature in black ink, appearing to read "M. G. Seidel", with a stylized flourish at the end.

Michael G. Seidel
Section Chief
Record/Information Dissemination Section
Information Management Division

Enclosures

FBI FOIPA Addendum

As referenced in our letter responding to your Freedom of Information/Privacy Acts (FOIPA) request, the FBI FOIPA Addendum provides information applicable to your request. Part 1 of the Addendum includes standard responses that apply to all requests. Part 2 includes standard responses that apply to requests for records about individuals to the extent your request seeks the listed information. Part 3 includes general information about FBI records, searches, and programs.

Part 1: The standard responses below apply to all requests:

- (i) **5 U.S.C. § 552(c).** Congress excluded three categories of law enforcement and national security records from the requirements of the FOIPA [5 U.S.C. § 552(c)]. FBI responses are limited to those records subject to the requirements of the FOIPA. Additional information about the FBI and the FOIPA can be found on the www.fbi.gov/foia website.
- (ii) **Intelligence Records.** To the extent your request seeks records of intelligence sources, methods, or activities, the FBI can neither confirm nor deny the existence of records pursuant to FOIA exemptions (b)(1), (b)(3), and as applicable to requests for records about individuals, PA exemption (j)(2) [5 U.S.C. §§ 552/552a (b)(1), (b)(3), and (j)(2)]. The mere acknowledgment of the existence or nonexistence of such records is itself a classified fact protected by FOIA exemption (b)(1) and/or would reveal intelligence sources, methods, or activities protected by exemption (b)(3) [50 USC § 3024(i)(1)]. This is a standard response and should not be read to indicate that any such records do or do not exist.

Part 2: The standard responses below apply to all requests for records on individuals:

- (i) **Requests for Records about any Individual—Watch Lists.** The FBI can neither confirm nor deny the existence of any individual's name on a watch list pursuant to FOIA exemption (b)(7)(E) and PA exemption (j)(2) [5 U.S.C. §§ 552/552a (b)(7)(E), (j)(2)]. This is a standard response and should not be read to indicate that watch list records do or do not exist.
- (ii) **Requests for Records about any Individual—Witness Security Program Records.** The FBI can neither confirm nor deny the existence of records which could identify any participant in the Witness Security Program pursuant to FOIA exemption (b)(3) and PA exemption (j)(2) [5 U.S.C. §§ 552/552a (b)(3), 18 U.S.C. 3521, and (j)(2)]. This is a standard response and should not be read to indicate that such records do or do not exist.
- (iii) **Requests for Confidential Informant Records.** The FBI can neither confirm nor deny the existence of confidential informant records pursuant to FOIA exemptions (b)(7)(D), (b)(7)(E), and (b)(7)(F) [5 U.S.C. §§ 552 (b)(7)(D), (b)(7)(E), and (b)(7)(F)] and Privacy Act exemption (j)(2) [5 U.S.C. § 552a (j)(2)]. The mere acknowledgment of the existence or nonexistence of such records would reveal confidential informant identities and information, expose law enforcement techniques, and endanger the life or physical safety of individuals. This is a standard response and should not be read to indicate that such records do or do not exist.

Part 3: General Information:

- (i) **Record Searches and Standard Search Policy.** The Record/Information Dissemination Section (RIDS) searches for reasonably described records by searching systems, such as the Central Records System (CRS), or locations where responsive records would reasonably be found. The CRS is an extensive system of records consisting of applicant, investigative, intelligence, personnel, administrative, and general files compiled by the FBI per its law enforcement, intelligence, and administrative functions. The CRS spans the entire FBI organization, comprising records of FBI Headquarters, FBI Field Offices, and FBI Legal Attaché Offices (Legats) worldwide; Electronic Surveillance (ELSUR) records are included in the CRS. The standard search policy is a search for main entity records in the CRS. Unless specifically requested, a standard search does not include a search for reference entity records, administrative records of previous FOIPA requests, or civil litigation files.
 - a. *Main Entity Records* – created for individuals or non-individuals who are the subjects or the focus of an investigation
 - b. *Reference Entity Records*- created for individuals or non-individuals who are associated with a case but are not known subjects or the focus of an investigation
- (ii) **FBI Records.** Founded in 1908, the FBI carries out a dual law enforcement and national security mission. As part of this dual mission, the FBI creates and maintains records on various subjects; however, the FBI does not maintain records on every person, subject, or entity.
- (iii) **Foreseeable Harm Standard.** As amended in 2016, the Freedom of Information Act provides that a federal agency may withhold responsive records only if: (1) the agency reasonably foresees that disclosure would harm an interest protected by one of the nine exemptions that FOIA enumerates, or (2) disclosure is prohibited by law (5 United States Code, Section 552(a)(8)(A)(i)). The FBI considers this foreseeable harm standard in the processing of its requests.
- (iv) **Requests for Criminal History Records or Rap Sheets.** The Criminal Justice Information Services (CJIS) Division provides Identity History Summary Checks – often referred to as a criminal history record or rap sheet. These criminal history records are not the same as material in an investigative “FBI file.” An Identity History Summary Check is a listing of information taken from fingerprint cards and documents submitted to the FBI in connection with arrests, federal employment, naturalization, or military service. For a fee, individuals can request a copy of their Identity History Summary Check. Forms and directions can be accessed at www.fbi.gov/about-us/cjis/identity-history-summary-checks. Additionally, requests can be submitted electronically at www.edo.cjis.gov. For additional information, please contact CJIS directly at (304) 625-5590.

EXPLANATION OF EXEMPTIONS

SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552

- (b)(1) (A) specifically authorized under criteria established by an Executive order to be kept secret in the interest of national defense or foreign policy and (B) are in fact properly classified to such Executive order;
- (b)(2) related solely to the internal personnel rules and practices of an agency;
- (b)(3) specifically exempted from disclosure by statute (other than section 552b of this title), provided that such statute (A) requires that the matters be withheld from the public in such a manner as to leave no discretion on issue, or (B) establishes particular criteria for withholding or refers to particular types of matters to be withheld;
- (b)(4) trade secrets and commercial or financial information obtained from a person and privileged or confidential;
- (b)(5) inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency;
- (b)(6) personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;
- (b)(7) records or information compiled for law enforcement purposes, but only to the extent that the production of such law enforcement records or information (A) could reasonably be expected to interfere with enforcement proceedings, (B) would deprive a person of a right to a fair trial or an impartial adjudication, (C) could reasonably be expected to constitute an unwarranted invasion of personal privacy, (D) could reasonably be expected to disclose the identity of confidential source, including a State, local, or foreign agency or authority or any private institution which furnished information on a confidential basis, and, in the case of record or information compiled by a criminal law enforcement authority in the course of a criminal investigation, or by an agency conducting a lawful national security intelligence investigation, information furnished by a confidential source, (E) would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law, or (F) could reasonably be expected to endanger the life or physical safety of any individual;
- (b)(8) contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions; or
- (b)(9) geological and geophysical information and data, including maps, concerning wells.

SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552a

- (d)(5) information compiled in reasonable anticipation of a civil action proceeding;
- (j)(2) material reporting investigative efforts pertaining to the enforcement of criminal law including efforts to prevent, control, or reduce crime or apprehend criminals;
- (k)(1) information which is currently and properly classified pursuant to an Executive order in the interest of the national defense or foreign policy, for example, information involving intelligence sources or methods;
- (k)(2) investigatory material compiled for law enforcement purposes, other than criminal, which did not result in loss of a right, benefit or privilege under Federal programs, or which would identify a source who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(3) material maintained in connection with providing protective services to the President of the United States or any other individual pursuant to the authority of Title 18, United States Code, Section 3056;
- (k)(4) required by statute to be maintained and used solely as statistical records;
- (k)(5) investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment or for access to classified information, the disclosure of which would reveal the identity of the person who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(6) testing or examination material used to determine individual qualifications for appointment or promotion in Federal Government service the release of which would compromise the testing or examination process;
- (k)(7) material used to determine potential for promotion in the armed services, the disclosure of which would reveal the identity of the person who furnished the material pursuant to a promise that his/her identity would be held in confidence.

FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
FOI/PA# 1483916-000

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Page 80 ~ Duplicate;
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play "Invasion of California", put on at F.O.R. meeting, was described by informant as advocating non-violent resistance to invasion of the United States. No criminal records located for subjects in Los Angeles County. Results of mail covers set out. U. S. Attorney's Office reviewing file for possible Selective Service violations.

- P -

REFERENCE:

Bureau File 61-3415
Report of Special Agent HOWARD H. DAVIS, Los Angeles,
California, dated November 30, 1943.

DETAILS:

The title of this report has been marked changed to indicate the inclusion of subject HARRIS' middle name "PRATHER", as reflected by the files of the Los Angeles Police Department.

The following is a joint report of the writer and Special Agent EDWIN S. YOUTZ.

AT LOS ANGELES, CALIFORNIA:

On November 16, 1943, CONFIDENTIAL INFORMANT L. A. T-18 advised that subject GLENN EARL SMILEY had invited him to attend a meeting which he presumed to be of the FELLOWSHIP OF RECONCILIATION at the Y.M.C.A. at California Institute of Technology in Pasadena. T-18 also advised that at the time of this invitation, SMILEY had informed him that he had been in consultation with JAMES OSMYN STOUT relative to having EVA (HERMAN) KERSEY (phonetic), formerly with the All Nations Foundations "stir up some Forerunner groups".

T-18 also was advised by SMILEY relative to STOUT, that STOUT has appealed his 1-A classification, and that SMILEY is quite anxious, as he feels that he can't afford to lose STOUT.

SMILEY also informed T-18 that he had heard that LLOYD SCAFF just got out of jail at Tucson, and he is evidently awaiting induction. SMILEY informed the informant that SCAFF would not be very happy in the Army and that he had taken it the hard way, as he should have taken a 1-A-O from the camp.

On the same date, CONFIDENTIAL INFORMANT L. A. T-25 advised that he was out in San Fernando Valley with SMILEY and they stopped in to see Mrs. JANICE FOLTZ. According to informant, Mrs. FOLTZ advised that she had received a letter from the NSBRO in which it was stated that she should keep them informed of whatever happened relative to her husband, PAUL ALBERT FOLTZ. SMILEY stated that he, HUNTER, and CHARLES MACKINTOSH had all sent in letters relative to FOLTZ, and Mrs. FOLTZ then advised that Reverend HERSCHEL HEDGEPEETH "who was misquoted by the FBI", said that he would be very happy to send a letter, and got one off on the previous night.

On November 17, 1943, T-18 advised that SMILEY had informed him that they had one of their strong F. O. R. groups at the Tucson Road Camp, and that the boys have dug a cave at the camp where they hold their "bull sessions". According to T-18, the conversation relative to the group at Tucson came up inasmuch as SMILEY had informed that he was going to Tucson on December 6th for a ten to fourteen day stay.

On the same date, T-25 advised that RAYMOND KINNEY had come up to Los Angeles from San Diego, and T-25 had accompanied KINNEY to CHARLES MACKINTOSH's office, inasmuch as MACKINTOSH had requested that KINNEY bring over a list of those individuals who did not get 4-E and who were sent to Prison. At this time, MACKINTOSH advised KINNEY and the informant that they had had a case where a fellow reported to the Army, did not go through with it, and then pleaded not guilty. MACKINTOSH stated that the Judge upheld the plea of not guilty of failure to report for induction, and that the Army now had the fellow in the brig. MACKINTOSH stated that the man was a 1-A-O, but since had changed his mind and developed to a 4-E.

KINNEY advised that the only case he had had in San Diego was on CURTIS ZAHN, a Christian Scientist. During the conversation between informant, KINNEY and MACKINTOSH, MACKINTOSH informed them that Federal Judge HARRISON was adding \$1000.00 to the sentences and had said on one occasion that it was being added for the Jury trial. MACKINTOSH advised that attorney AL WIRIN was appealing a Jehovah's Witness case because of this. He also stated that he wished that WIRIN would get together with his family, as he was having domestic trouble and he also has his eye on the money too much.

On November 18, 1943, T-25 advised that he had gone up to the office of the American Civil Liberties Union with subject KINNEY and that they had talked to Dr. CLINTON TAFT, at which time KINNEY asked Dr. TAFT about the American Civil Liberties Union set-up in San Diego, and Dr. TAFT advised that HELEN MARSTON BEARDSLEY used to keep a sort of branch going in San Diego through her own personal efforts, and that WILMER BREEDEN, a lawyer in San Diego, at 201

Broadway Building, is presently the only member of the A. C. L. U. in that city. KINNEY advised Dr. TAFT that he had the CURTIS ZAHN case, but that he had got ahold of him too late in the game to do anything about it, stating that he did not have a fair hearing, and that he is a religious objector, but not a religious pacifist by a long ways. While at the A. C. L. U. office, he informed that KINNEY also talked to attorney WIRIN, and KINNEY furnished WIRIN with some of the background on ZAHN, inasmuch as ZAHN was to be referred to WIRIN for the handling of his case. KINNEY informed WIRIN that ZAHN is a little hard to pin down, and has a hard time expressing himself.

After leaving the A. C. L. U. office, the informant and KINNEY went to the office of CHARLES MACKINTOSH, and MACKINTOSH advised them that GERALD DARROW had gone into the Army. According to informant, KINNEY wondered why DARROW had gone into the Army, and MACKINTOSH stated, "He just said he thought he would 1-A-0 and try to get out from there - just wasn't deep enough". KINNEY then stated that he was never too sure about the kid, but didn't think he would do that. KINNEY also asked MACKINTOSH why ALAN HENNEBOLD wanted to go to the Government C.P.S. camp, and MACKINTOSH stated, "Who would want to live with a bunch of Mennonites?".

Later in the day, when informant and KINNEY were in the company of GLENN SMILEY, the informant advised that they dropped by the men's store where HERMAN BERMAN works, and SMILEY asked BERMAN if he would like to take part in a pseudo radio drama which they were going to give. BERMAN asked SMILEY if it was a religious part, and SMILEY replied, "Oh, you tickle me".

On November 24, 1943, T-18 advised that SMILEY had informed him that he expected to be out of town a great deal, as his schedule up to next May calls for him to make a number of trips. T-18 also advised that SMILEY had informed him that EVERETT WHITE had left the C.P.S. camp at Denver, Colorado, and had come to him for advice, SMILEY advising the informant that he had told WHITE that there was no alternative in this part of the country except to go to jail. He stated that WHITE had informed him that the reason he had left camp was that he wanted to register a protest by leaving; however, he did not think that anything could be added to the protest by going to jail. He also advised, according to SMILEY, that VICTOR OLSON (phonetic) of Selective Service in charge of camp operations, had visited the camp, and he, WHITE, had asked him to get a change of classification to get in the transportation industry. According to what SMILEY advised informant, WHITE had told him that OLSON had replied that there was a pretty good chance, but that he would have to get a letter from some company stating that they would employ him. SMILEY told informant that WHITE was trying to get this classification through his employer, the Pacific Electric Railway in Los Angeles, who would send a letter to his Board. SMILEY advised

the informant that in case he wanted to see WHITE and talk with him, that WHITE was living under the alias GLEN DOW at 258 East First Street, Los Angeles.

T-18 advised that on the same date, he and SMILEY had contacted JOHN LANG, a radio announcer at N. B. C., relative to making a transcription of the skit, "Invasion of California".

The indices of this office contain no reference identifiable with JOHN LANG.

T-18 also advised that he, SMILEY and MACKINTOSH had lunch together, at which time MACKINTOSH complained about the A. C. L. U. and attorney WIRIN trying to get money out of conscientious objectors, MACKINTOSH stating that they were pretty hard on KENNY GRACE.

On November 25, 1943, informant T-18 advised that LEO DRAPER had informed him that he was now in the Army, and was to go to Fort MacARTHUR on the 13th.

The informant dropped by to see SMILEY later in the day, but did not get to see him, as Mrs. SMILEY stated that SMILEY was out at N. B. C. discussing his play with JOHN LANG and HUGH BEAUMONT.

On November 30, 1943, T-18 asked SMILEY how his transcription was coming along, and SMILEY advised him that he was going to produce a few Pacifist recordings for radio, and that JOHN LANG, HUGH BEAUMONT and MACK BRIDGERMAN (phonetic) would help in it. He stated that he had \$100.00 for the purpose, and that that would handle it for one month.

While T-18 was talking to SMILEY about the transcription, a young man whom SMILEY apparently had not met before, according to T-18, came up to the SMILEY residence and talked to SMILEY about his Selective Service status. Informant advised that this young man introduced himself as ARMAND PICON, of 2046 Oak Knoll Avenue, Pasadena, and stated that he was a dancer with the Ballet Russe. The young man stated that his Board was in New York City, that he is a member of the Christian Science Fellowship, is a 4-E, and is up for induction into a C.P.S. camp. SMILEY asked PICON if he had any obvious physical defect which would give him a 4-F, and when PICON stated that he did not believe so, SMILEY stated "That is too bad".

In the ensuing conversation after this young man left, SMILEY incidentally advised informant that GALE SEAMAN's interest was still active, and that he, SEAMAN, was going to contact FRED FERTIG on a matter, which informant took to be one relating to Japanese problems, in view of his knowledge of FERTIG's activities.

induction, the race question, records, and the sedition investigation previously mentioned.

SMILEY also informed T-25 that OSMYN STOUT had informed him that his Board had just received a wire from Washington to stay his induction, as he had been scheduled to be inducted on the following day.

On January 5, INFORMANT T-18 advised that he had stopped in to see Reverend NORMAN TAYLOR at TAYLOR's Church, at approximately 7:00 P.M., and shortly thereafter, SMILEY had dropped in stating that he wanted to advise TAYLOR of the results of a meeting which he, HUNTER, MACKINTOSH and Reverend E. P. RYLAND had had that afternoon with United States Attorney CARR and Assistants CARTER and BLEDSOE. SMILEY stated that the United States Attorney's Office had objected to some things which he and his associates were doing and he thought maybe they were right "especially as to taking care of C.P.S. boys without advising the United States Attorney", SMILEY stating that the boys had advised the authorities, but that he himself had not.

SMILEY also stated to TAYLOR and informant, who naturally joined in the conversation, that, in regard to ALFRED SAUNDERS, that maybe CHARLES (MACKINTOSH) had harbored him as a deserter, but he, CHARLES, would not talk.

SMILEY also stated that he thought it would still be okay to go ahead with their plans on the record, as he doubted that they would be indicted.

On January 6, 1944, SMILEY showed to INFORMANT T-25 a letter which he had written to the United States Attorney, in which he stated that he was technically guilty of harboring, and is willing to give himself up to the Justice Department for trial, and in which he also stated that he is guilty, but not knowingly so. SMILEY stated to informant that he did not think that he would be prosecuted, but that he might be, and that he might get a small sentence. He stated that by doing this, it might take some of the "stink" off the F. O. R. and put it on himself. SMILEY also advised the informant that Dr. RYLAND had told him that he should not mail the letters yet. He also stated that he had just called attorney AL WIRIN on the telephone and informed him that he had harbored three fugitives from the civilian public service camp, and asked his opinion as to whether he was liable on account of it, but that WIRIN had refused to discuss it over the telephone.

Informant stated that a few minutes later, ALLAN HUNTER, who lives a short distance from SMILEY, had dropped in and had told him that Mrs. GATES wanted to talk to him about a boy in the neighborhood who is a good boy and "his mama wants to get him a C. O. rating to save him from the army". HUNTER advised SMILEY that the boy's name was [REDACTED] Inglewood, and asked SMILEY what he could do about it. SMILEY said that he would send the boy literature, and would see him later. SMILEY also stated that Mrs.

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On May 24, 1943, Dr. H. T. DAILEY, colored, who resides at 329 Kensington Place, Pasadena, advised Special Agent ROBERT W. HOLLMAN that Miss FANNING is very active in behalf of the Japanese, and refers to them as "My dears", and has, on many occasions, sought to enlist the sympathy and support of the Kensington neighborhood for the Japanese. Dr. DAILEY stated that Miss FANNING had recently told Miss RUIS of Kensington Place, that she sent a camera to one of the Japanese in Manzanar, concealed in a box of candy. About three weeks previous to Dr. DAILEY's interview, Miss FANNING was carrying some books out of her house which she intended to take to the Japanese at Manzanar. She dropped two of them, which Dr. DAILEY picked up and examined, finding that they were not books, but were made of wood, hollowed out, and according to Dr. DAILEY, capable of holding an instrument as large as a .38 caliber automatic pistol. Dr. DAILEY also stated that he had heard that Miss FANNING had explained to a neighbor that she never had any trouble getting contraband into Manzanar because she knew when to take it in.

* * * *

CONFIDENTIAL INFORMANT L. A. T-20 advised that on November 15, 1943, he attended an F.O.R. central group meeting at the home of Mr. and Mrs. LEO DRAPER, 226 East 46th Street, Los Angeles, at which the following individuals were in attendance:

Mr. and Mrs. GLENN SMILEY, BILL and BEA NEWBY, Mr. and Mrs. KAPP, WALTER MUELDER, Reverend WENDELL MILLER, ERNA HARRIS, ELLA KUBE, FLORENCE DANIELS, GEORGE MURER, HELEN STUART, KENNETH GRACE, EMIL SITKA, GABRIEL COSOLETO and (GILBERT) WILLIAMS.

T-20 advised that WALTER MUELDER was the speaker of the evening, his topic being "conscription", and his talk pointing out that he believed there was a difference between conscription and coercion. According to informant, ERNA HARRIS did not agree that there was any difference, and MUELDER stated that he himself might be considered only a "lukewarm F.O.R. member" and he did not agree with the belief of F.O.R. members that Pastors of churches should come right out and tell the members of their congregations that war is wrong and that all wars should be opposed, stating that he felt the Pastor could do more good by trying to lead his people, cooperate with them, and lead them along a step at a time. Informant advised that for the next hour and forty-five minutes this point was discussed, and that HARRIS, SMILEY, SITKA and DANIELS all disagreed with MUELDER, pointing out that the Pastor should come right out in the open and tell everyone the evils of war. MUELDER stated that he was called upon to counsel students in the college (University of Southern California), but that was very easy for him because he "counselled mostly conscientious objectors". At the conclusion of the meeting, LEO DRAPER stated that he had received his 1-A-O classification, and said "If the Army can use me, feeling the way I do, I am willing to go".

On Friday evening, November 19, 1943, INFORMANT T-20 accompanied ERNA HARRIS, ELLA KUBE, FLORENCE DANIELS, and INFORMANTS T-1 and T-2 to Santa Barbara, California, to visit Los Prietos C.P.S. Camp, the group being met at Santa Barbara by LUCILLE DAY. According to T-20, Miss DAY stated that she almost lost her job because she had been so sympathetic with the C.P.S. boys, and therefore she had not associated so much with them during the past few months; however, she could see more of them now because "we now have our appropriations so I don't care". She also stated that it had been very different around Los Prietos since the rebel boys, who finally went over the hill, left the camp, but things have been very dull since then, but now some "new rebels have arrived and it should be more interesting now". According to T-20, while at the camp, ERNA HARRIS gave a talk in which she discussed sentences which the C.P.S. deserters and other alleged conscientious objectors were receiving in Los Angeles, and both HARRIS and KUBE pointed out during a discussion of the C.P.S. camp, that it was certainly not fair that the boys in camp had to "pay for their keep", that the Government should pay them regular Army wages, and that it was not fair that the boys were kept in a place like Los Prietos because it was very far from any city, HARRIS going on to state that the boys feel "they are being discriminated against". T-20 advised that GLENN SMILEY arrived at the camp late on the afternoon of November 20th, and was scheduled to speak at 11:00 A.M. on the 21st.

INFORMANT T-20 also advised that on the afternoon of November 28, 1943, he attended a meeting of the San Fernando group of the F.O.R. at the home of Mr. and Mrs. BALDWIN, 4315 Bellaire Avenue, Burbank, California, in company with INFORMANT T-3, both T-20 and T-3 going to the meeting with PAUL ALBERT and JANICE FOLTZ, the meeting being attended by Mr. and Mrs. HARVEY SESSIONS, Dr. and Mrs. RALPH RUTLEDGE, BELLE BOYSON, Mr. and Mrs. PAUL DETLEFSEN, and Mrs. NOWLIN and her daughter GENEVIEVE. The speaker for the meeting was Mr. SESSIONS, and INFORMANT T-20 advised that there was nothing of importance in his talk. PAUL FOLTZ advised the informants that he had failed to report for induction, and Mrs. FOLTZ stated that she had received a call the other day from CHARLES MACKINTOSH asking her if she and PAUL would be interested in having PAUL's case turned over to the American Civil Liberties Union. She stated that she declined the offer, but that about two hours later, MACKINTOSH called again, and advised that whether she liked the idea or not, he was turning PAUL's case over to the A. C. L. U. and he requested Mrs. FOLTZ to make an appointment with attorney AL WIRIN. MACKINTOSH advised Mrs. FOLTZ that he wanted to turn over PAUL's case to the A. C. L. U. because of the loopholes and the inconsistent thinking brought out in the Hearing Officer's report.

The indices of this office contain no record for ~~HARVEY SESSIONS~~, principal speaker of this meeting.

CONFIDENTIAL INFORMANT L. A. T-20 has made notes covering all of the above meetings, which notes are being retained in the file.

Also furnished by INFORMANT T-20 to this office for retention in the file are the following:

A postcard advertising a Central F.O.R. group meeting for December 6th at the home of ERNA HARRIS, 1226 West 11th Street, signed "S. COSOLETO".

A postcard addressed to informant, stating that the Central F. O. R. group would meet December 20th at the home of GEORGE LAURER, 3455 South Hoover Street, and that HERMAN BERMAN would speak on small cooperatives in operation.

A two-sheet mimeographed publication entitled "Central Idea", addressed to informant and bearing the return address, "E. HARRIS, 1226 West 11th Street, Los Angeles." This publication talks about current F.O.R. meetings, recommends that the radio talks of NORMAN THOMAS not be missed, and quotes from a letter sent by CHUCK WORLEY, in which WORLEY speaks of Reverend JOHN STOMLEY's visit to Tucson Road Camp, and also in this publication it is said that EMIL SITKA is being helped by his Draft Board to get "work essential to the civilian welfare of the nation" through appeal and U. S. Employment Office.

A Mimeographed publication entitled, "Southwest Inter-Racial News Letter", which was mailed to informant, and bears the return address of 120 North San Pedro Street, Los Angeles. The News Letter states that it is edited by FRED FERTIG at 120 North San Pedro Street, Los Angeles, and was purported to have been used at the Southwest general conference of the F.O.R. October 30, 1943. This News Letter quotes from the Civil Code of California "regarding equal rights for all citizens", and enumerates Sections 51, 52, 53 and 54 of the Civil Code.

CONFIDENTIAL INFORMANT L. A. T-22 advised that he attended a meeting of the North Vermont Group of the F. O. R. held at the Mount Hollywood Congregational Church on November 18, 1943. T-22 stated that there were nineteen other persons present, including Mr. and Mrs. GLENN SMILEY, CHARLES MACKINTOSH, FLORENCE WILLIS, Mr. and Mrs. GORDON MITCHELL, HERMAN BERMAN, Miss UNDERSOOD, (GILBERT) WILLIAMS, RIK (ANDERSON), Mrs. HAMPTON, Dr. HARKER, Miss BOWDOIN (Wegress), MYRTLE MILLS and her sister; and MARIO PACMAN and his girl friend. Informant advised that SMILEY put on a play "An Invasion of California" in simulation of a radio play, in that all participants sat behind a screen out of view of the audience. SMILEY played the part of the narrator, BERMAN that of a radio announcer and soldier, RIK (ANDERSON) that of radio announcer and train dispatcher, informant that of the President of the United States and a grocer, WILLIAMS that of a Minister, and Mrs. SMILEY that of a Mrs. JOHNSON and a woman in a crowd. The play started by the narrator interrupting the regular broadcast and explaining that for the past two

Colonies, especially in Malaya, and said that Japan promised freedom to the people whom she controlled, stressing the fact that the Japanese Empire is "merciful". He spoke of a recently discovered chemical that would whiten dark pigmented skin, and stated, in a sarcastic way, that the superior caste system in China would be very much hurt by doing away with color. According to informant, WARNER's whole attitude was that of praise for Japan, and slighting remarks about China and Britain. At this meeting, the informant attended a discussion group on "non-violence as a strategy for inter-racial betterment", at which ERNA HARRIS spoke and stated that the method of non-violence originated with GANDHI in India, and the same tactics were being followed by the C.O.R.E. or Committee of Racial Equality, which is that part of the F.O.R. particularly concerned with non-violent methods of achieving an end. Informant advised that GLENN SMILEY's talk was general, and that he stated that Californians and southern Senators were out to keep "the races in their place".

DR. WALTER MUELDER, according to informant, was the leader of a discussion on "Racism, Democracy, and world order". The informant furnished a program for this meeting, which, it is noted, is entitled "Student Christian Association Race Relations Work Shop". The program provided for opening worship at the Cal. Tech. Y.M.C.A., and reflected such speakers as WARNER, FLOYD COVINGTON, GALE SEAMAN, MUELDER, ERNA HARRIS, and GLENN SMILEY. It should be noted, in connection with this meeting, that as previously set forth in this report, an informant had advised that SMILEY was making preparations to attend a meeting at the California Institute of Technology Y.M.C.A.

On November 1, 1943, INFORMANT T-23 advised that FLOYD COVINGTON had informed that the FELLOWSHIP OF RECONCILIATION was working with the Friends Service Committee and student Christian groups, particularly with "Y" groups. COVINGTON advised the informant that at the All People's Church on East 20th Street, which is an inter-racial Church under the leadership of DAN GENUING, that young people's groups, "Friends", and the F.O.R. have meetings. COVINGTON also advised that GLENN SMILEY, area head of the F.O.R., is the only white member of the Wesleyan Church in the Southeast Area. COVINGTON further stated to informant that the F.O.R. methods of operation are to make tests of discrimination, in that they would get the names of places where Negroes are discriminated against, follow Negroes in, and when they are refused service, endeavor to convert the owner.

INFORMANT T-23's notes, as well as the program for the above mentioned meeting, are being retained in the file.

Special Agent ALLEN H. SMITH attended the Sunday, November 21, 1943, services of the Mount Hollywood Congregational Church, and advised that there was nothing of interest, with the exception that ALLAN HUNTER announced from the pulpit that the booklet entitled "A LETTER TO KAGAWA" was available. Agent SMITH

writer noted that among those present in Court were DAVID WALDEN and Mrs. SHIRLIE HENEBOLD.

On December 20, 1943, in Judge HARRISON's Court, KENNETH CARTER GRACE entered a plea of guilty to a charge of failure to report for induction, which case was set for sentence January 3, 1944. The writer noted that CHARLES MACKINTOSH was present in Court.

On January 3, 1944, in the Court of Judge HARRISON, the case of HERMAN BERMAN was continued one week, and the case of PHILIP CHANDLER GATES was placed off calendar, inasmuch as GATES had reported to the Army for a physical examination and was rejected. KENNETH CARTER GRACE, who had a prepared statement which he was not allowed to read; received a sentence of one year and one day.

Assistant United States Attorney H. P. BLEDSOE advised that ALFRED LLOYD SAUNDERS, who; as previously reported in this case, was awaiting courtmartial by the United States Army, received at the Courtmartial, three years at hard labor, a dishonorable discharge, and loss of his Army rights. Mr. BLEDSOE advised that attorney A. L. WIRIN has asked the United States Circuit Court for a writ of habeas corpus on SAUNDERS' behalf.

On December 15, 1943, Assistant United States Attorney BLEDSOE advised that the case of ROBERT ELTON MYERS, which has previously been discussed in this case, was sent back to the Local Board, and he was reclassified 4-E.

The following information was obtained from the office of the United States Commissioner at Los Angeles:

On November 23, 1943, CHARLES MACKINTOSH posted a \$1000.00 cash bail for KENNETH CARTER GRACE, and a \$1000.00 bail for EVERETT WHITE, Mancos C.P.S. deserter.

On November 30, 1943, GLENN SMILEY stood up with WHITE in the Commissioner's Court, and then sat and talked with him all through the hearing, according to Commissioner DAVID B. HEAD. WHITE's bail was set at \$2500.00 and he was committed for removal.

On December 10, 1943, SAMUEL SHULMAN was arraigned before Commissioner HEAD, his case was continued to December 18th for removal to San Francisco, and his bail set at \$2000.00, which CHARLES MACKINTOSH furnished. Commissioner HEAD advised that on December 21, 1943, CHARLES MACKINTOSH and RALPH RUTLEDGE, who identified himself as local Manager of the United States Employment Service at San Fernando, appeared in his office on behalf of PAUL ALBERT FOLTZ, and MACKINTOSH posted \$1000.00 bond for FOLTZ.

I cannot conscientiously accept any type of work under the military system of conscription now in vogue, and shall insist that I be exempt to do the type of work in which I am now usefully employed. The reason I give for taking this position is this: I feel that war would be impossible among enlightened and intelligent people were it not for the instrument of conscription, and, governments will always carry on war without restraint if that minority of its citizens who claims conscientious objections, consent to be conscripted into work of 'National importance' that, in substance, assures that they will be quiet and not disturb the status quo."

SMILEY's classification as of November 16, 1943, was 3-A.

A check of the files of the Identification Division of the Los Angeles Police Department and Los Angeles Sheriff's Office reflected no criminal records for the subjects of this case. However, the Los Angeles Police Department had a record for ERNA PRATHER HARRIS, 1226 West Eleventh Street, which reflected that on April 15, 1942, she made application for a press card. Her description was given as age 35, born June 29, 1908, in Kingfisher, Oklahoma, height 5 feet 3 inches, weight 112 pounds, with black hair, brown eyes, Negro race, birthmark upper left leg.

A check of the records of the Los Angeles Retail Merchants Credit Association reflects no record for WENDELL MILLER. However, they did have a record for WALTER G. MUELDER, which reflects his address as 3960 LaSalle Avenue, Los Angeles, California, in September, 1940; he was presently employed at the University of Southern California as a Professor of Christian Theology and Christian Ethics, having formerly been a Professor of Philosophy at Berea College in Berea, Kentucky. His age was given as about 40 as of 1941, and his wife's name as MARTHA.

At the Los Angeles County Voters' Registry, 808 North Spring Street, Los Angeles, an affidavit as of July 14, 1936, reflects that WENDELL L. MILLER, 902 West 34th Street, Los Angeles, is a Minister, a registered Democrat, 5 feet 11-3/4 inches in height, and born in Nebraska. His former address was given as 7100 Wilson Street, Miramonte, California. An affidavit made on September 14, 1942, for WALTER G. MUELDER, 1215 West Gage Avenue, Los Angeles, reflects that he is a Professor, a registered Socialist, 6 feet in height, and born in Illinois.

It was noted also that there is a registration for VASSIL R. KOZLOFF, 422 South Lake Street, a merchant, 5 feet 5 inches in height, who was born in Bulgaria, and naturalized by decree of Court on April 13, 1919, in New York City, he having formerly registered from 1046 South Olive Street, Los Angeles. In regard to KOZLOFF, it should be noted that, as previously reported, a BASIL KOZLOFF, who is apparently identical with this individual, had contacted subject SMILEY.

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UNDEVELOPED LEADS:

THE LOS ANGELES FIELD DIVISION

At Santa Barbara, California, will, through CONFIDENTIAL INFORMANTS T-7 and T-16, continue observation of the activities of the local groups of the F.O.R.; as well as the activities of LUCILLE DAY and LOUISE ROUNDS.

At Los Angeles, California, will, through informants and surveillances, continue observation of the activities of GLENN EARL SMILEY, 1837 North Berando Street, and of ERNA HARRIS and ELLA KUBE, 1226 West Eleventh Street;

Will continue investigation into the activities of CHARLES MACKINTOSH, business address 306 North Vermont Avenue, and home address 3416 Farmdale Avenue;

Will report information obtained in regard to DAN B. GENUING, 822 East 20th Street; and FRED FERTIG, 822 East 20th Street, and 120 North San Pedro Street;

Will continue investigation into the background of local F.O.R. leaders, and through informants, keep advised of their activities;

Will continue to follow the activities of GLENN EARL SMILEY, CHARLES MACKINTOSH, and other F. O. R. members, on behalf of conscientious objectors, before the local Federal Courts, paying particular attention to the previous convictions concerning war of the conscientious objectors, and the dates when they first had contact with the F. O. R.;

Will, at their respective Local Draft Boards, follow the cases of JAMES OSMYN STOUT, EUGENE HUGH BEAUMONT, RICHARD TUFENKJIAN, JR., HAROLD WILL LISCHNER, FRED DENIS WOLFROM, and KARL SUESSDORF, noting any activity by the subjects therein, and likewise, will follow any cases in regard to other individuals in whom the subjects may interest themselves;

Will, at the University of Southern California, ascertain background information relative to THOMAS K. WICKES, 2622 Magnolia Avenue;

Will develop background information relative to JOHN SAAR, also known as LOUIS JOSEPH SAUER, and JOHN LANG;

Will continue reporting the results of the mail cover on GLENN EARL SMILEY and CHARLES MACKINTOSH;

Will, through preliminary investigation, identify occupants of the

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FEDERAL BUREAU OF INVESTIGATION

Origin: LOS ANGELES

File No. 100-16080

Report made at LOS ANGELES	Date Made 1/15/44,	Period 11/16-30/43; 12/1-9, 12-17, 20-27, 29-31/43; 1/1-8/44	Report made by HOWARD H. DAVIS . AM
Title <u>CHANGED</u>			Character of case SEDITION
ALLAN ARMSTRONG HUNTER; GLENN EARL SMILEY; ELLA ANNA KUBE; ERNA PRATHER HARRIS; RAYMOND E. KINNEY; CHARLES MACKINTOSH; FELLOWSHIP OF RECONCILIATION, LOS ANGELES AREA.			<div style="border: 1px solid black; padding: 2px;"> 5-31-89 ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 4-3-77 BY [redacted] </div>

SYNOPSIS OF FACTS:

Subject RAYMOND E. KINNEY advised informant that CURTIS ZAHN was only conscientious objector case he had had in San Diego. Subject GLENN EARL SMILEY, in speaking of HERMAN BERMAN, agreed he was not a religious objector, but stated he would back him any day. SMILEY is presently preparing for greater "Forerunner" activity, and has himself been classified 4-E. In the case of a Negro allegedly not accepted at University of Southern California Medical School, SMILEY suggested that pressure be brought and white pickets used. In a letter drawn up by SMILEY which he intended to transmit to the United States Attorney but which he was uncertain as to posting, he allegedly admits a technical violation in harboring C.P.S. deserters. Subject HUNTER referred to SMILEY, a sixteen year old boy whose mother wanted to get him a conscientious objector's rating "to save him from the Army". HUNTER stated, according to informant, that the boy "is sixteen, just the right age to do some good work". Pasadena, California, F.O.R. meeting place and C.P.S. "bunkhouse" formerly was Japanese Christian Church. Subjects ERNA PRATHER HARRIS and ELLA ANNA KUBE, while at C.P.S. Camp No. 36 on a visit, pointed out to the campees that it was not fair that the campees had "to pay for their keep", HARRIS going on to state that the boys "feel they are being discriminated against". The

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